

7800008

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

Coker's Pedigreed Seed Company

Tothereas, there has been presented to the

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF ACCOUNTED YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT LETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT.

UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFICATION OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

TOBACCO

'Coker 48'

In Lestimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington

this 20th day of September in the year of our Lord one thousand nine hundred and seventy-eight

omissionar

Plant Varioly Protection Office

Grain Itroisias Agricultural Marketing Service Secretary of Agriculture

land

UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE GRAIN DIVISION PLANT VARIETY PROTECTION OFFICE NATIONAL AGRICULTURAL LIBRARY BELTSVILLE, MARYLAND 20706

FORM APPROVED OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.	TOTT LAIT V		· · · · · · · · · · · · · · · · · · ·	<u> </u>
18. TEMPORARY DESIGNATION OF VARIETY	16. VARIETY NAM	ME	FOR OFFICE	AL USE ONLY
	Coker 48		780	0008
2. KIND NAME	3. GENUS AND SP	PECIES NAME	12-5-77	TIME 30 AM
Tobacco	Nicotiana	tabacum	FEE RECEIVED	DATE
4. FAMILY NAME (BOTANICAL)	5. DATE OF DETE	RMINATION	\$ 250.00	12-5-77
Solanaceae	1 TO 0 1082		\$ 250,00 \$ 350.00	12-3-77
6. NAME OF APPLICANT(S)	7. ADDRESS (Stree Code)	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIF		8. TELEPHONE AREA
Coker's Pedigreed Seed Co.	P. O. Box 340 Hartsville, South Carolina 29550			803-332-8151
9. IF THE NAMED APPLICANT IS NOT A PER ORGANIZATION: (Corporation, partnership.		10. IF INCORPORATE	ED, GIVE STATE AND	11. DATE OF INCOR-
Corporation	2000 312.72.7, 0.00,	South Carol		
12. Name and mailing address of applic	ant representative	1		June 12, 1918
13. CHECK BOX BELOW FOR EACH ATTACH 13A. Exhibit A, Origin and Breed 13B. Exhibit B, Novelty Statement 13C. Exhibit C, Objective Descript 13D. Exhibit D, Additional Descript 14A. Does the applicant(s) specify that see	ing History of the variety of the variety ription of the Varie	Variety (See Section 52 I (Request form from P ty.	lant Variety Protection	ı Office.)
(See Section 83(a). (If "Yes," answe	r 14B and 14C bek	ow.) <u>[X</u>]∨ı	ES NO	
14B. Does the applicant(s) specify that thi limited as to number of generations?	s variety be	c. If "Yes," to 14B, he breeder seed?	ow many generations o	of production beyond
	YES NO	FOUNDATION	REGISTERED	XCERTIFIED
15. Does the applicant(s) agree to the pu	blication of his/her	(their) name(s) and add	dress in the Official Jou	irnal? XYES NO
The applicant(s) declare(s) that a via a certificate and will be replenished p. The undersigned applicant(s) is (are variety is distinct, uniform, and station 42 of the Plant Variety Act.	periodically in according the owner(s) of the	rdance with such regula this sexually reproduce	tions as may be applica d novel plant variety.	ible. and believe(s) that the
Applicant(s) is (are) informed that fa	lse representation h	erein can jeopardize pro	otection and result in p	penalties.
Pow. 11, 1977		Garall	Meller)
(DATÉ)	.		(SIGNATURE OF APPLI	C4NT) 1
(DATE)			(SIGNATURE OF APPLI	CANT)

INSTRUCTIONS

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GENERAL: Send an original copy of the application, exhibits and \$250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, National Agricultural Library, Beltsville, Maryland 20705. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in Section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- Give (1), the genealogy, including public and commerical varieties, lines, or clones used, and the breeding method. (2), the details of subsequent stages of selection and multiplication. (3), the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4), evidence of stability.
- Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties; (1) identify these varieties and state all differences objectively; (2) Attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form for all characteristics, for which you have adequate data.
- Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C.
 Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe; such as; plant habit, plant color, disease resistance, etc.

14A If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled or published or the certificate has been issued. However, if the applicant specifies "NO", he may change his choice. (See Section 180.15 of the Regulations and Rules of Practice.)

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IMILOIC I	Origin and Diecomig Instoly of Coker 48
Year	
1966	Coker 258 was crossed with Coker 319. (C-258 X C-319)
1966-67	F ₁ plants grown in Florida winter breeding nursery and a selected plant was back-crossed with Coker 319. (C-258xC-319) X C-319
1967	F_1 plants grown in summer breeding nurseries and selection #67-394-4S was advanced to 1968 tests.
1968	${\rm F_2}$ progeny row reselected in summer breeding nurseries and selection #68-358-1S was advanced to 1969 tests.
1969	${\rm F_3}$ progeny row reselected in summer breeding nurseries and selection #69-272-1S was advanced to 1970 tests.
1970	F_4 progeny row reselected in summer breeding nurseries and selection # 70-172-1S was advanced to 1971 tests.
1971	F_5 progeny row reselected in summer breeding nurseries and selection # 71-84-2C was advanced to 1972 tests.
1972	F_6 progeny row reselected in summer breeding nurseries and selection # 72-191-3S was advanced to 1973 tests.
1973	F_7 progeny row reselected in summer breeding nurseries and progeny row # 73-48E was advanced to 1974 tests.
1974	F ₈ progeny rows tested in Coker's Pedigreed Seed Company Advanced Strains-Variety Test and Regional Small Plot Tests as Coker 73-48E.
1975	${\rm F_9}$ progeny rows were tested in Coker's Pedigreed Seed Company Advanced Strains-Variety Tests and Regional Farm Tests.
1976	F ₁₀ progeny rows were tested in Coker's Pedigreed Seed Company Advanced Strains-Variety Test and Regional Farm Tests and it was determined that Coker 48 was a stable line that met the minimum standards as established by the Variety Evaluation Committee of the Tobacco Workers Conference.
1977	Seed increases were made from bulked seed of a selected F_{10} progeny row and the resulting F_{11} seed were harvested.
	Throughout the development of Coker 48, each generation of each progeny row was grown from seed of an individual plant selection.

Origin and Breeding History of Coker 48

Exhibit A

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The breeding nurseries in which this variety was produced are severely infested with either the blackshank, Granville (bacterial) Wilt, and/or root knot organisms. Leaves were harvested, identified, cured, and graded, and chemically analyzed from every progeny row throughout the entire development period.

Variants: No variants have been observed throughout the regional testing and increase period.

Evidence of Stability: Coker 48 has remained phenotypically stable throughout its advanced testing and increase period. Progeny rows from the variety are of the same phenotype, maturity, height, yield and quality, and exhibit the same disease resistance reactions.

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Exhibit B. Novelty Statement

Summary Novelty Statement: Coker 48 most closely resembles Coker 258xin both leaf size and shape, and particularly in the puckered leaf texture. Coker 48 differs most obviously from Coker 258 by the fact that Coker 48 is susceptibile to the root-knot nematode Meloidogyne incognita (a simply inherited characteristic) whereas Coker 258 is resistant.

Two other varieties, Coker 86 and NC 95, resemble Coker 258 in that both have a puckered leaf texture but both of these varieties are also resistant to the root-knot nematode Meloidogyne incognita.

* including (shone Call to Dr. Miller 7/28/78 0855.

UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE

OBJECTIVE DESCRIPTION OF VARIETY

Tobacco (Nicotiana tabacum) VARIETY NAME OF TEMPORARY NAME OF APPLICANT(S) DESIGNATION Coker's Pedigreed Seed Company Coker 48 ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) FOR OFFICIAL USE CHLY PVPO NUMBER P. O. Box 340 7800008 Hartsville, South Carolina 29550 Place the appropriate number that describes the varietal character in the boxes below. vhen number is either 99 or less or 9 or less. Place a zero in first box (e.g. 0 8 9 Or 1. CLASS: 6 = CIGAR WRAPPER 5 = CIGAR BINDER 4 = CIGAR FILLER 1 = FLUE-CURED 2 = FIRE-CURED 3 = AIR-CURED 9 = FOREIGN-NON-CIGAR LEAF 8 = FOREIGN-CIGAR LEAF 7 - MISCELLANEOUS-DOMESTIC AIR-CURED: 1 = BURLEY 2 = MARYLAND 3 = DARK AIR-CURED STANDARD VARIETIES 01 = NC 95 0 2 = NC 2326 03 = COKER 319 04 - HICKS 05 = \$PEIGHT G-28 06 = SC 58 07 = Ky 151 08 = BURLEY 21 09 = BURLEY 49 10 = Ky 10 11 = MARYLAND 609 12 * Ky 165 Coker 86 13 = Pennbel 69 14 = HAVANA 503 15 - FLORIDA 17 16 - OTHER 2. MATURITY (Transplant to 50% plants 1 Ft.) (Select code from Standard Varieties listed above) 0 6 NO, OF DAYS DAYS EARLIER THAN 6 0 6 DAYS LATER THAN . . 0 3 3. SEEDING TO TRANSPLANTING (Select code from Standard Varieties listed above) NO. OF DAYS DAYS EARLIER THAN DAYS LATER THAN . . 4. PLANT HEIGHT (After topping) (Select code from Standard Varieties listed above) 1 CM TALL 0 CM SHORTER THAN 0 5 0 3 CM TALLER THAN . . 5. LEAF SIZE (At leaf maturity) (Select code from Standard Varieties listed above) LENGTH CM 18th LEAF CM 5TH LEAF 6 6 8 CM 15TH LEAF 9 CM SHORTER THAN . 3 1 0 3 0 CM SHORTER THAN; CM SHORTER THAN 8 3 6 0 1 6 CM LONGER THAN . . . CM LONGER THAN . . CM LONGER THAN . WIDTH 8th 2 CM 5TH LEAF 9 8 CM 15TH LEAF 9 2 3 1 2 0 1 6 CM NARROWER THAN CM NARROWER THAN CM NARROWER THAN 5 CM WIDER THAN CM WIDER THAN . . . CM WIDER THAN 0 3 0 5 0 3 6. LEAF YIELD (Select code from Standard Varieties listed above) 9 1 8 KG/HA 4 % LESS THAN % MORE THAN . . . 3

⊢∪HM GH-470-31 (page 3)			Coker #48
3. DISEASE (O = Not tested, 1 = Susc	eptible, 2 = Resistant)	าดาเ	8000
1 POTATO VIRUS Y		1 TMV 7800	J008
0 NEMATODE ROOT ROT (LE	SION, SPECIES)	1 ROOT KNOT NEMATODE	
1 TOBACCO ETCH VIRUS		2 OZONE AIR POLLUTION	
OTHER (Specify)		OTHER (Specify)	**************************************
NOTE: Under 16 "Comments", given the variety exceeds, equals	re comparative reaction with a standard or is less than that of the standard).	d variety appropriate for each disease tested	and indicate if disease reaction of
14. LEAF CONSTITUENTS (Give d	ata for described and standard variety)		
VARIETY NICOTINE	NOR NIÇOTINE	TOTAL NITROGEN	REDUCING SUGARS % (FLUE-CURED)
SUBMITTED 3 7 0	2 2	2 5 4	1 4 1 0
STANDARD 3 8 8	2 4	2 5 8	1 2 8 0
NAME OF STANDARD NC 95 VARIETY	NC 95	NC 95	NC 95
15 VARIETIES MOST CLOSELVI	RESEMBLING THAT DESCRIBED FO	OR THE CHARACTERS GIVEN:	<u> </u>
CHARACTER	VARIETY	CHARACTER	VARIETY
MATURITY	Coker 319	LEAF TIP SHAPE	Coker 258
LEAF LENGTH	Coker 258	VENATION PATTERN	Coker 258
LEAF WIDTH	Coker 258	LEAF SURFACE	Coker 258
LEAF CARRIAGE	Coker 258	LEAF MARGIN	Coker 258
PETIOLE ANGLE	Coker 258	LEAF COLOR	Coker 258
LEAF SHAPE	Coker 258	PLANT FORM	Coker 258

PETIOLE ANGLE Coker 258

LEAF SHAPE COKER 258

16. COMMENTS (For increasing accuracy of description)

Statement of Basis of Applicant's Ownership of Coker 48 Tobacco

Coker 48 is owned by Coker's Pedigreed Seed Company. All breeding, development and testing (other than that preformed by the Variety Evaluation Committee of the Tobacco Workers Conference) was done on land owned and/or operated by Coker's Pedigreed Seed Company and under the direct supervision of personnel of the Tobacco Division of Coker's Pedigreed Seed Company. All seed were also produced on land owned and/or operated by Coker's Pedigreed Seed Company under supervised personnel of the Tobacco Division, and inspected and approved by the South Carolina Department of Seed Certification.

Dav. 11, 1977

Serietar, Tobacco Simino

ASSIGNMENT OF PLANT VARIETY PROTECTION CERTIFICATES

WHEREAS, COKER'S PEDIGREED SEED COMPANY, a South Carolina corporation ("Coker's"), having its offices at 900 Darlington Highway, Hartsville, South Carolina 29550, has adopted and used and is the sole and exclusive owner of certain United States Plant Variety Protection Certificates and similar rights under laws of countries other than the United States as listed in Exhibit A hereto:

WHEREAS, COKER'S PEDIGREED SEED CO. and NORTHRUP KING CO., a Delaware corporation ("NK"), have entered into an Asset Purchase Agreement, dated July 20, 1988, providing for the purchase and sale of substantially all of the assets and business of Coker's and the assumption of certain of Coker's liabilities and obligations by NK; and

WHEREAS, NK desires to acquire the right, title and interest in, to and under the Plant Variety Protection Certificates listed on Exhibit A hereto and the pending applications hereto (collectively, the "Plant Variety Protection Certificates").

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Coker's hereby sells, assigns, transfers and sets over to NK the Plant Variety Protection Certificates. Coker's further agrees, at no cost to it, to execute and deliver to NK, upon the request of NK, any further instrument of assignment that may be necessary to effectuate the transfer of each Plant Variety Protection Certificate.

IN WITNESS WHEREOF, Coker's has caused this instrument to be executed by its duly authorized representative as of the 20th day of July, 1988.

COKER'S PEDIGREED SEED COMPANY

By: E. Joe Dahmer President

STATE OF MINNESOTA)
) ss:
COUNTY OF HENNEPIN)

On this day of July, 1988, before me, a Notary Public in and for the County aforesaid, the undersigned officer, E. Joe Dahmer, personally appeared and acknowledged himself to be the President of Coker's Pedigreed Seed Co., and that he executed the foregoing instrument for the purposes therein.

WITNESS my hand and seal this 30th day of July, 1988.



Motary Public

Winter Oat Varieties

Variety Name	U.S. Plant Variety Certificate Number	Issue Date	Term (Yrs.)			
Coker 227	7 500007	Oct. 20, 1977	17			
Coker 716	7900003	Dec. 28, 1978	17			
Coker 820	8400059	June 30, 1987	18			
Coker 234	7500008	Oct. 26, 1977	17			
Four Twen	ty Two 7700085	Apr. 12, 1979	17			
Big Mac	8200121	Aug. 19, 1982	18			
Mesquite	8200122	Aug. 19, 1982	18			
Tobacco Varieties						
Coker 347	72022	Oct. 27, 1976	17			
Coker 411	72023	Oct. 27, 1976	17			
Coker 86	7600004	Oct. 27, 1976	17			
Coker 48	: ; 7800008	Sept. 20, 1978	17			
Coker 51	8100048	Feb. 18, 1982	18			
Coker 176	8300056	Sept. 29, 1983	18			
Coker 206	8500040	Apr. 30, 1986	18			
Coker 371	Gold 8700049	Sept. 30, 1987	18			
<u>Cotton Varieties</u>						
Coker 310	7100021	Jan. 18, 1974	17			
Coker 304	7700024	Dec. 21, 1978	17			
Coker 420	7900087	Jan. 29, 1980	17			
Coker 315	8000087	Dec. 18, 1980	17			